

DAILY DIGEST

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**Before an entry denotes that the item is part of the FCC's implementation of the 1996 Telecom Act. While we will attempt to flag all Telecom Act-related items, this marking is unofficial and informational only.

NEWS RELEASES

COMMISSION ADOPTS CHANGES IN RF MARKETING RULES. The Commission has amended the marketing regulations that apply to radio frequency (RF) devices. RF devices are products that are capable of emitting RF energy in their operation, such as radio receivers, computers, video cassette recorders and radio transmitters. These changes to the rules respond to a Petition for Reconsideration and Clarification filed by Ericsson, Inc. These changes will provide marketing parity for products that are domestically manufactured and those that are imported. Report No: ET-98-4. Action by: the Commission. Adopted: May 14, 1998. Dkt No.: ET-94-45. (FCC No. 98-96) OET Contact: Office of Engineering and Technology: John A. Reed at (202) 418-2455. Internet URL: https://www.fcc.gov/Bureaus/Engineering_Technology/News_Releases/1998/nret8009.wp

FCC FILINGS. OPA. Internet URL: <https://www.fcc.gov/filings.html>

FCC CALENDAR OF EVENTS. OPA. Internet URL: <https://www.fcc.gov/calendar.html>

OPEN PROCEEDINGS. OPA Contact: Public Service Division, Office of Public Affairs: Martha Contee at (202) 418-0260; TTY (202) 418-2555. Internet URL: <https://www.fcc.gov/oproceed.html>

PUBLIC NOTICES

Released: May 22, 1998. TARIFF TRANSMITTAL PUBLIC REFERENCE LOG.Public Reference Log: 05/21/98. Internet URL:

https://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/Tariffs/combined/tt052198.pdf

Released: May 22, 1998. NOTICE OF PUBLIX NETWORK CORPORATION'S TELECOMMUNICATIONS RELAY SERVICES (TRS) APPLICATION FOR CERTIFICATION ACCEPTED.Comments Due: June 22, 1998. (DA No. 98-988). Dkt No.: CC-90-571. Contact: Network Services Division, Common Carrier Bureau: Al McCloud at (202) 418-2499, amccloud@fcc.gov, or Krist Monteith at (202) 418-1098, kmonteit@fcc.gov, TTY at (202) 418-0484. Internet URL:

https://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/1998/da980988.wp

Report No: 1184. Released: May 22, 1998. CABLE TELEVISION SERVICE REGISTRATIONS; SPECIAL RELIEF AND OTHER FILINGS.

Report No: TEL-156-A. Released: May 22, 1998. STREAMLINED INTERNATIONAL 214 AND SECTION 310(B)(4) APPLICATIONS ACCEPTED FOR FILING.(Formal Section 63.18). Contact: International Bureau Reference Center: (202) 418-1492 or (202) 418-1493. Internet URL:

https://www.fcc.gov/Bureaus/International/Public_Notices/1998/pnin8136.txt

Report No: 44247. Released: May 22, 1998. BROADCAST ACTIONS. Internet URL:
https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Brdcst_Actions/ac980522.txt

Report No: 24247. Released: May 22, 1998. BROADCAST APPLICATIONS. Internet URL:
https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Brdcst_Applications/ap980522.txt

Report No: 2279. Released: May 22, 1998. PETITIONS FOR RECONSIDERATION AND CLARIFICATION OF ACTION IN RULEMAKING PROCEEDINGS.

Released: May 22, 1998. EX PARTE PRESENTATIONS AND POST-REPLY COMMENT PERIOD FILINGS IN PERMIT-BUT-DISCLOSE PROCEEDINGS. Contact: Barbara Lowe at (202) 418-0310. Internet URL:
https://www.fcc.gov/Bureaus/Miscellaneous/Public_Notices/Exparte/1998/ex980522.html

Released: May 22, 1998. ERRATA - EX PARTE PRESENTATIONS AND POST-REPLY COMMENT PERIOD FILINGS IN PERMIT-BUT-DISCLOSE PROCEEDINGS. Contact: Barbara Lowe at (202) 418-0310. Action by: the FCC.

Report No: LB-98-43. Released: May 22, 1998. WIRELESS TELECOMMUNICATIONS BUREAU COMMERCIAL WIRELESS SERVICE INFORMATION. Internet URL:
https://www.fcc.gov/Bureaus/Wireless/Public_Notices/1998/pnw18049.wp

Released: May 22, 1998. WIRELESS TELECOMMUNICATIONS BUREAU MAKES CELLULAR DATABASE AVAILABLE FOR REVIEW PRIOR TO UNIVERSAL LICENSING SYSTEM IMPLEMENTATION. (DA No. 98-984). Contact: Wireless Telecommunications Bureau: Irene Griffith at (202) 418-1315. Action by: Chief, Commercial Wireless Division. Internet URL:
https://www.fcc.gov/Bureaus/Wireless/Public_Notices/1998/da980984.wp

TEXTS

TIME WARNER CABLE. Remanded ten appeals of ten local rate orders issued by the cable franchising authorities in Smithfield, Hillsborough, Selma, Zebulon, Knightdale, Wendell, Carrboro, Chapel Hill, Morrisville, and Pittsboro, North Carolina. The operator claims that the franchising authorities improperly updated the true-up period inflation figure after the operator had filed its rates for 1998. Action by Acting Chief, Cable Services Bureau. Adopted: May 20, 1998. by MO&O. (DA No. 98-966). CSB Internet URL:
<https://www.fcc.gov/Bureaus/Cable/Orders/1998/da980966.wp>

NORTHEAST GWINNETT CABLEVISION. Denied appeal filed June 11 of a rate order adopted March 10 by the City Council of Sugar Hill, Georgia, because the appeal was not timely filed. Action by Acting Chief, Cable Services Bureau. Adopted: May 18, 1998. by MO&O. (DA No. 98-959). CSB Internet URL:
<https://www.fcc.gov/Bureaus/Cable/Orders/1998/da980959.wp>

KDTV LICENSE PARTNERSHIP, G.P. Granted petition filed by KDTV License Partnership, G.P., license of television broadcast station KDTV(TV), San Francisco, California, seeking to compel carriage of its signal on channel 14 of Telecommunication, Inc.'s (TCI) systems serving communities in the San Francisco area of dominant influence. Action by Chief, Consumer Protection and Competition Division, Cable Services Bureau. Adopted: May 21, 1998. by MO&O. (DA No. 98-980). CSB Internet URL:
<https://www.fcc.gov/Bureaus/Cable/Orders/1998/da980980.wp>

PIMA, ARIZONA. Effective July 6, amended the FM Table of Allotments and allocated Channel 296A to Pima, Arizona, as its first local aural transmission service. Dkt No.: MM-97-228. Action by Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau. Adopted: May 13, 1998. by R&O. (DA No. 98-933). MMB Internet URL: https://www.fcc.gov/Bureaus/Mass_Media/Orders/1998/da980933.wp

MCMILLAN AND SAULT STE. MARIE, MICHIGAN. Effective July 6, amended the FM Table of Allotments by allocating Channel 272C3 to Sault Ste. Marie, Michigan, and reserving it for noncommercial educational use, and allocating Channel 244C3 to McMillan, MI. Dkt No.: MM-97-222. Action by Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau. Adopted: May 13, 1998. by R&O. (DA No. 98-934). MMB Internet URL: https://www.fcc.gov/Bureaus/Mass_Media/Orders/1998/da980934.wp

MICROSTATION RADIO BROADCAST SERVICE PETITION FOR RULEMAKING (RM 9208, 9242, 9246). Granted Motion by the Committee on Democratic Communications of the National Lawyers Guild and extended to July 24, the time to file reply comments. Action by Chief, Mass Media Bureau. Adopted: May 22, 1998. by Order Extending Time. (DA No. 98-978). MMB Internet URL: https://www.fcc.gov/Bureaus/Mass_Media/Orders/1998/da980978.wp

COON VALLEY AND WESTBY, WISCONSIN AND LANESBORO, MINNESOTA. Effective July 6, amended the FM Table of Allotments by allocating Channel 280A to Lanesboro, Minnesota and to Westby, Wisconsin. Dkt No.: MM-97-169. Action by Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau. Adopted: May 13, 1998. by R&O. (DA No. 98-932). MMB Internet URL: https://www.fcc.gov/Bureaus/Mass_Media/Orders/1998/da980932.wp

ADDENDA: The following items, released May 21, 1998, did not appear in Digest No. 98:

NEWS RELEASES

COMMISSION ADOPTS RULES AND SETS FORTH PROCESSES FOR 220-222 MHZ AUCTION. The Commission adopted a Memorandum Opinion and Order on Reconsideration setting forth rules for the 220-222 MHz radio services (220 MHz service) and paving the way for an auction of licenses in the 220 MHz service. The Reconsideration Order responds to five petitions for reconsideration of the Commission's 220 MHz Second Report and Order, and to eleven petitions for reconsideration of the Commission's 220 MHz Third Report and Order. In general, the Commission reaffirms the rules adopted in those orders with minor changes and clarifications in response to the petitions. Report No: WT-98-14. by MO&O on Recon. Action by: the Commission. Adopted: May 14, 1998. (FCC No. 98-93) News Media Contact: Meribeth McCarrick (202) 418-0654. WTB Contact: Jon Reel at (202) 418-1310 or Frank Stilwel at (202) 418-0660. Internet URL: https://www.fcc.gov/Bureaus/Wireless/News_Releases/1998/nrw18021.html

PUBLIC NOTICES

Released: May 21, 1998. PLEADING CYCLE ESTABLISHED FOR COMMENTS ON US WEST CEI PLAN TO ACT AS A SALES AGENT FOR UNAFFILIATED ALARM MONITORING SERVICE PROVIDERS. Comments Due: June 22, 1998; Reply Comments Due: July 7, 1998. (DA No. 98-973). Contact: Janice Myles at (202) 418-1580. Internet URL: https://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/1998/da980973.wp

Released: May 21, 1998. EMERGENCY PETITION FOR RELIEF OF THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS. Pleading Cycle Established; Comments Due: June 1, 1998; Reply Comments Due: June 8, 1998. (DA No. 98-968). Dkt No.: CC-96-45. Contact: Accounting Policy Division, Common Carrier Bureau: Adrian Wright at (202) 418-7400. Action by: Chief, Common Carrier Bureau. Internet URL: https://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/1998/da980968.wp

Released: May 21, 1998. PLEADING CYCLE ESTABLISHED - FLORIDA DEPARTMENT OF MANAGEMENT SERVICES FILES MOTION FOR DECLARATORY RULING OR, IN THE ALTERNATIVE, PETITION FOR WAIVER, OF EXISTING CONTRACTS RULE. Comments Due: June 11, 1998; Reply Comments Due: June 22, 1998. (DA No. 98-977). Dkt No.: CC-96-45. Contact: Accounting Policy Division, Common Carrier Bureau: Frances Downey or Irene Flannery at (202) 418-7400. Action by: Chief, Accounting Policy Division, Common Carrier Bureau.

Report No: CWS-98-33. Released: May 21, 1998. WIRELESS TELECOMMUNICATIONS BUREAU COMMERCIAL WIRELESS INFORMATION. Internet URL:

https://www.fcc.gov/Bureaus/Wireless/Public_Notices/1998/pnw18048.wp

SPEECHES

STATEMENT OF FCC CHAIRMAN WILLIAM KENNARD ON US WEST/AMERITECH/QWEST AGREEMENT. Internet URL: <https://www.fcc.gov/Speeches/Kennard/Statements/stwek834.html>

PRESS STATEMENT OF COMMISSIONER HAROLD FURCHTGOTT-ROTH. Internet URL: https://www.fcc.gov/Speeches/Furchtgott_Roth/Statements/sthfr826.html

SPEECH BY COMMISSIONER GLORIA TRISTANTI TO THE FEDERAL COMMUNICATIONS BAR ASSOCIATION. May 21, 1998. Internet URL: <https://www.fcc.gov/Speeches/Tristani/spgt808.html>

TEXTS

CUSTOMER PROPRIETARY NETWORK INFORMATION AND OTHER CUSTOMER INFORMATION. Clarified various issues pertaining to the Second R&O and FNPRM interpreting and implementing, among other things, the portions of Section 222 of the Communications Act that govern the use and disclosure of, and access to, customer proprietary network information by telecommunications carriers. Dkt No.: CC-96-115. Action by Chief, Common Carrier Bureau. Adopted: May 21, 1998. by Order. (DA No. 98-971). CCB Internet URL: https://www.fcc.gov/Bureaus/Common_Carrier/Orders/1998/da980971.pdf

ROBIN CABLE SYSTEMS OF TUCSON, D/B/A TCI OF TUCSON. Dismissed an appeal of a local rate order filed by Robin Cable Systems concerning basic cable service and equipment rates in the City of Tucson, Arizona. Action by Chief, Consumer Protection and Competition Division, Cable Services Bureau. Adopted: May 19, 1998. by Order. (DA No. 98-958). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1998/da980958.wp>

SFX BROADCASTING, INCORPORATED AND SBI HOLDING CORPORATION, ET AL. Acted on applications for consent to (1) transfer control of SFX Broadcasting, Inc., licensee through wholly-owned subsidiaries of 81 radio stations, to SBI Holding Corporation, which is ultimately controlled by Thomas O. Hicks; (2) assign to third parties the licenses of six radio stations which are or will be controlled by Hicks concurrently with the proposed merger, in order to comply with the local radio ownership rules, as well as an agreement with the Department of Justice; (3) assign to an insulated trust the licenses of the radio stations to be divested, in order to ensure local radio ownership rule compliance in the event that the divestitures cannot be consummated at the time of merger; (4) assign to trust four additional radio stations which are controlled by Hicks in order to comply with the local radio ownership rules. Also acted on Hicks' request for waivers of the one-to-a-market rule, in connection with its proposed acquisition of control of SFX radio stations in three

markets. Action by Chief, Mass Media Bureau. Adopted: May 21, 1998. by MO&O. (DA No. 98-970). MMB
Internet URL: https://www.fcc.gov/Bureaus/Mass_Media/Orders/1998/da980970.wp

PRIVATE LAND MOBILE RADIO SERVICE. Responded to five petitions for reconsideration of the Commission's 220 MHz Second Report and Order, and to eleven petitions for reconsideration of the Commission's 220 MHz Third Report and Order. In general, the Commission reaffirms the rules adopted in those orders with minor changes and clarifications in response to the petitions. Dkt No.: PR-89-552, GN-93-252, PP-93-253. Action by the Commission. Adopted: May 14, 1998. by MO&O on Recon. (FCC No. 98-93). WTB
Internet URL: <https://www.fcc.gov/Bureaus/Wireless/Orders/1998/fcc98093.wp>

PHOENIX DATA COMMUNICATIONS, INC. Granted Phoenix Data Communications Request for Waiver of the requirement that Interactive Video Data Service response transmitter units contain automatic power controls. Action by Chief, Public Safety and Private Wireless Division, Wireless Telecommunications Bureau. Adopted: May 21, 1998. by Order. (DA No. 98-972). WTB

PERSONAL COMMUNICATIONS INDUSTRY ASSOCIATION'S BROADBAND PERSONAL COMMUNICATIONS SERVICES ALLIANCE'S PETITION FOR FORBEARANCE FOR BROADBAND PERSONAL COMMUNICATIONS SERVICES. Extended until June 8, 1998, the date on which the petition for forbearance filed by the Broadband Personal Communications Services Alliance of the Personal Communications Industry Association will be deemed granted in the absence of a Commission decision that the petition fails to meet the statutory standards for forbearance. Action by the Commission. Adopted: May 21, 1998. by Order. (FCC No. 98-99). WTB Internet URL:
<https://www.fcc.gov/Bureaus/Wireless/Orders/1998/fcc98099.wp>